

JD:FTB

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN THE MATTER OF THE SEARCH OF:
THE PREMISES KNOWN AND
DESCRIBED AS UNITED STATES
POSTAL SERVICE PRIORITY MAIL
PARCEL, WITH TRACKING NO.
9505512592337263161054, ADDRESSED
TO: ASHBY MARTIN, 924 EAST 34TH
STREET, BROOKLYN, NY 11210;
RETURN ADDRESS: BERRY
GOLDSTEIN, 431 S BURNSIDE AVENUE,
LOS ANGELES, CA 90036

**APPLICATION FOR A SEARCH
WARRANT**

No. _____

17M841

**AFFIDAVIT IN SUPPORT OF AN
APPLICATION UNDER RULE 41 FOR A
WARRANT TO SEARCH AND SEIZE**

JONATHAN JIMENEZ, being first duly sworn, hereby deposes and states that
he is a Special Agent with the United States Postal Service ("USPS"), Office of the Inspector
General ("OIG"), duly appointed according to law and acting as such.

Upon information and belief, there is probable cause to believe that presently
concealed in UNITED STATES POSTAL SERVICE PRIORITY MAIL PARCEL, WITH
TRACKING NO. 9505512592337263161054, ADDRESSED TO: ASHBY MARTIN, 924
EAST 34TH STREET, BROOKLYN, NY 11210; RETURN ADDRESS: BERRY
GOLDSTEIN, 431 S BURNSIDE AVENUE, LOS ANGELES, CA 90036 (the "SUBJECT
PARCEL"), are controlled substances or residue of controlled substances, all of which

constitute evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 846.

The source of your affiant's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with USPS-OIG and have been for approximately six years. I am responsible for conducting and assisting investigations into the activities of individuals and criminal groups responsible for the distribution of narcotics, including Schedule I controlled substances. I have participated in investigations involving search warrants and arrest warrants. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities. I am familiar with the facts and circumstances of this investigation from my personal participation in the investigation and from information obtained from other law enforcement agents.

2. Based on my training and experience and knowledge gained from prior USPS investigations into narcotics trafficking using the U.S. mails, I am aware that the USPS's "Priority Mail Express" and "Priority Mail" products have become methods of choice by dealers of narcotics for the transportation of narcotics. In addition, based on my training and experience, I am aware that USPS Priority Mail parcels of controlled substances

¹ Because the purpose of this Affidavit is to set forth only those facts necessary to establish probable cause to search, I have not set forth all of the facts and circumstances of which I am aware.

destined for delivery in the New York area often originate from certain source locations, including California.

3. The SUBJECT PARCEL is a USPS Shipping Supplies and Services box with priority labels attached. The box measures approximately 15 inches, by 12 inches, by 10 inches, and weighs, according to the postage, approximately fifteen pounds. It bears the return address of "BERRY GOLDSTEIN, 431 S BURNSIDE AVENUE, LOS ANGELES, CA 90036" and the mailing address of "ASHBY MARTIN, 924 EAST 34TH STREET, BROOKLYN, NY 11210."

4. Based on my training and experience, I am aware that the use of fictitious names is a common tactic of drug traffickers who utilize the U.S. mails as a means to avoid detection, and that the discrepancy between the sender's and recipient's names and the information available from public records databases suggests the sender and recipient of the SUBJECT PARCEL may be using a fictitious name.

5. On or about September 21, 2017, the SUBJECT PARCEL was in a USPS mail facility in Bethpage, New York. At that time, based upon a number of factors, I seized the SUBJECT PARCEL from the mail stream. The SUBJECT PARCEL was initially secured in the USPS Postal Inspection Service Office in John F. Kennedy International Airport. The SUBJECT PARCEL is, at present, in ^{Queens}Brooklyn, New York, in the custody of ^{JS}Postal Inspectors with the USPS Postal Inspection Service. The factors that led to the seizure included, but were not limited to, the following:

a. The sender's name, "Berry Goldstein," as hand-written on the return address label, did not correspond to the name associated with the return address based on searches of a commercially-available public records database for "431 S. Burnside Avenue, Los Angeles, California"; and

b. The origination and destination—California to New York.

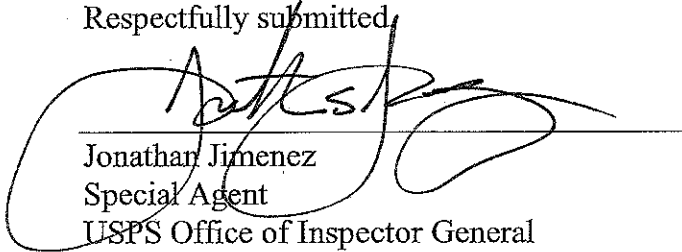
6. SUBJECT PARCEL to "Jett," his trained canine,² for Jett to inspect the exterior of the SUBJECT PARCEL. In response to being exposed to the exterior of the SUBJECT PARCEL, Jett reacted to the SUBJECT PARCEL, which, based on the information obtained from the Handler, indicated a positive alert that the SUBJECT PARCEL contained a controlled substance or the residue of a controlled substance.

WHEREFORE, your affiant respectfully requests that a warrant be issued authorizing USPS agents, with such other assistance as may be necessary, to open the

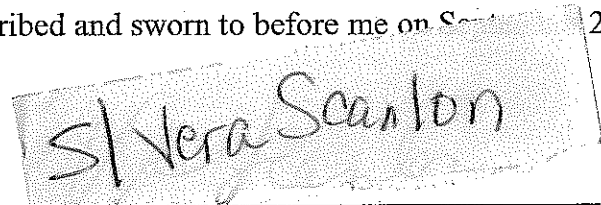
² The Handler informed the postal inspectors that Jett was certified as a narcotics detection canine. Jett is trained to differentiate and to give a positive identification if Jett detects the odors of narcotics. Jett has received numerous hours of training, and Jett is utilized regularly for the purpose of detecting narcotic odors. During Jett's training and in order to be certified, Jett is subjected to numerous objects both containing and not containing narcotics. Jett alerts after detecting the scent of narcotics. Jett has successfully given positive identifications of narcotics in the field and in the past and has proven reliable. Jett was last certified in August of 2016. Therefore, there is probable cause to believe that Jett is reliable in positively identifying the presence of narcotics, and that the SUBJECT PARCEL contains a controlled substance or its residue.

SUBJECT PARCEL and to search for and seize controlled substances of any sort, all of which constitute evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 846.

Respectfully submitted,


Jonathan Jimenez
Special Agent
USPS Office of Inspector General

Subscribed and sworn to before me on September 22, 2017



THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK